

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JOEL KENNETH PARKER,
#58037

PLAINTIFF

V.

3:13CV00160-BSM

PILOT TRUCK STOP CORPORATION, et al.

DEFENDANTS

ORDER

Plaintiff Parker, an inmate proceeding pro se, has filed an action pursuant to 42 U.S.C. § 1983, together with a Motion to Proceed in forma pauperis pursuant to 28 U.S.C. § 1915 (Doc. No. 8). Plaintiff has submitted a declaration that makes the showing required by § 1915(a); therefore, his Motion will be granted.

Pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff is required to pay the statutory filing fee of \$350 for this action.¹ Plaintiff has submitted a certified copy of his Inmate Trust Fund Account Statement. Based on that information, an initial partial filing fee of \$6.67 is assessed by this Order. If the prisoner's account does not contain the full amount assessed as an initial partial filing fee, the Administrator of the Southern Desert Corrections Center shall withdraw from the account any portion of the initial filing fee available, even if the account balance is under \$10.00. Regardless of the balance in the account, the Administrator of the Southern Desert Corrections Center shall continue to withdraw funds until the initial partial filing fee has been paid in full.

Thereafter, Plaintiff will be obligated to make monthly payments in the amount of 20% of the preceding month's income credited to Plaintiff's prison trust account each time the amount in the

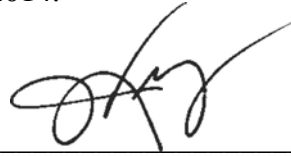
¹Effective May 1, 2013, the civil filing fee increased to \$400, due to the implementation of a \$50 administrative fee. The \$50 fee does not, however, apply to plaintiffs who are granted in forma pauperis status.

account exceeds \$10.00. The Southern Desert Corrections Center is required to send to the Clerk of the Court the initial partial filing fee, and thereafter the monthly payments from the Plaintiff's prison trust account when the amount exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Proceed in forma pauperis (Doc. No. 8) is GRANTED.
2. The Administrator of the Southern Desert Corrections Center, or his designee, shall collect from Plaintiff's prison trust account an initial partial filing fee in the amount of \$6.67 and shall forward the amount to the Clerk of the Court. Said payment shall be clearly identified by the name and number assigned to this action.
3. Thereafter, the Administrator of the Southern Desert Corrections Center, or his designee, shall collect from Plaintiff's prison trust account the \$343.33 balance of the filing fee by collecting monthly payments from Plaintiff's prison trust account in an amount equal to 20 % of the preceding month's income credited to the prisoner's trust account and forwarding payments to the Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28 U.S.C. § 1915(b)(2). The payments shall be clearly identified by the name and number assigned to this action.
4. The Clerk of the Court shall send a copy of this Order to the Southern Desert Corrections Center, P.O. Box 208, Indian Springs, NV 89070.
5. Service is not appropriate at this time.

IT IS SO ORDERED this 6th day of March, 2014.

A handwritten signature in black ink, appearing to read 'J. Kearney', is positioned above a horizontal line.

JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE